

REMARKS

Claims 1-22 are pending in this application, claims 18-22 having been withdrawn from consideration. By this amendment, claim 1 is amended. Support for this amendment is found in the specification as originally filed. No new matter is added.

I. 35 U.S.C. §102 Rejection

The Office Action rejects claims 1, 2, 4, 6-10, and 12-14 as being anticipated by Ishiyama et al. (U.S. 6,080,519). Applicants respectfully traverse the rejection.

Amended independent claim 1 is directed to a resin powder for a dermatologic composition, the resin powder comprising resin particles consisting essentially of a resin. Such a resin powder is not taught or suggested by the cited references.

Ishiyama teaches toner compositions comprising a coloring agent and a binder resin having a volume average particle size of 2 to 9 micrometers, a shape factor SF1 of 110 to 140, and an average volume particle size distribution GSDv of 1.30 or less (See col. 3, lines 22-36; and col. 4, lines 1-12).

In contrast to the resin powder of amended independent claim 1, Ishiyama does not disclose a resin powder comprising resin particles consisting essentially of a resin. Instead, Ishiyama discloses a method of producing resin particles by preparing a resin particle dispersion and mixing it with a coloring agent dispersion and a releasing agent dispersion to form aggregated particles. The aggregated particles are then heated in order to fuse and unite the particles (See col. 8, lines 16-29). Because the coloring agent dispersion and the releasing agent dispersion are aggregated with the resin particle dispersion in order to form resin particles and the coloring agent is essential to the toner composition of Ishiyama, then Ishiyama does not disclose resin particles consisting essentially of a resin. Ishiyama's particles contain at least coloring agent and releasing agent in effective amounts, which are

excluded by the present claims. Furthermore, the resin particles of Ishiyama are not toner particles themselves but merely a raw material for producing a toner particle.

Because Ishiyama teaches toner compositions that require a coloring agent and a binder resin and does not teach resin particles consisting essentially of resin the rejection should be withdrawn. Accordingly, reconsideration and withdrawal of the rejection is respectfully requested.

II. 35 U.S.C. §103 Rejection

The Office Action rejects claims 3, 5, 11, and 15-17 under 35 U.S.C. §103(a) as being unpatentable over Ishiyama et al. (U.S. 6,080,519) as applied to claims 1, 2, 4, 6-10, and 12-14 above, and further in view of Hagi et al. (U.S. 5,976,750). Applicants respectfully traverse the rejection.

As discussed above, Ishiyama does not teach, nor does it suggest, resin powders comprising resin particles consisting essentially of a resin. Instead, Ishiyama teaches resin particles comprising an aggregated coloring agent dispersion, releasing agent dispersion, and resin particle dispersion.

Hagi does not remedy the deficiencies of Ishiyama. Hagi teaches toner compositions comprising a colorant and a binder resin, which has a volume average particle size of 3 to 7 micrometers and a shape factor SF1 of 100 to 130 (See Abstract; col. 3, lines 9-25; and col. 4, lines 6-11). Specifically, Hagi teaches incorporating colorants into binder resin during polymerization to form toner particles (See col. 7, line 53 - col. 8, line 11). However, like Ishiyama, Hagi does not teach resin powders comprising resin particles consisting essentially of a resin. Instead Hagi teaches toner particles comprising resin and colorants, the colorants being essential to the toner composition.

Because Hagi, like Ishiyama, teaches only particles that include both resin and colorant agents, no combination of Ishiyama and Hagi teaches or suggests a resin powder

comprising resin particles consisting essentially of a resin as set forth in amended independent claim 1. Thus, no combination of Ishiyama and Hagi would have rendered obvious claims 3-5, 11, and 15-17, which depends from amended independent claim 1. Accordingly, reconsideration and withdrawal of the rejection is respectfully requested.

III. Conclusion

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of the application are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



James A. Oliff
Registration No. 27,075

James Arnold
Registration No. 55,980

JAO:JA/eks

Attachment:

Request for Continued Examination

Date: September 15, 2005

OLIFF & BERRIDGE, PLC
P.O. Box 19928
Alexandria, Virginia 22320
Telephone: (703) 836-6400

DEPOSIT ACCOUNT USE AUTHORIZATION Please grant any extension necessary for entry; Charge any fee due to our Deposit Account No. 15-0461
--